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June 25, 2009

VIA ELECTRONIC FILING

Hon. Faith S. Hochberg, U.S.D.J.
U.S. District Court, District of N.J.
U.S.P.O. & Courthouse Bldg.
Federal Square
50 Walnut Street, Room 369
Newark, New Jersey 07102

Re: Brian Pietrylo, et al., v. Hillstone Restaurant Group d/b/a Houston's
Civil Action No. 06-5754 (FSH)
MDMC File No.: H0392-1003

Dear Judge Hochberg:

Pursuant to Michael Boldt's telephone conversation of this afternoon with Your Honor's chambers staff, this is to request that the time for defendant Hillstone Restaurant Group d/b/a Houston's to file its Motions pursuant to Fed. RR. Civ. P. 50 and 59 be extended for three days, until Friday, July 3, 2009.

Defendant is seeking this extension because we are still waiting for portions of the trial transcript, which are needed for our Motion. We ordered the necessary portions of the transcript immediately following the jury's verdict, and some of it has been received. But we understand from Your Honor's chambers staff that your Court has been in session this week, which has apparently (and understandably) affected the ability of the court reporter to complete the transcripts.

In addition, even if the court reporter works through this weekend (as he did last weekend) and completes the transcripts over the weekend, prior scheduling commitments on Monday, June 29, 2009, will substantially impinge upon our ability to complete the necessary analysis and revision to our written materials for the current due date of June 30, 2009.

Fred Pisani, Esq., counsel for plaintiffs, has kindly consented to our request, conditioned on reciprocal courtesies from us if needed in connection with the filing of Mr. Pisani's papers.

MC ELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

Hon. Faith S. Hochberg, U.S.D.J.

June 25, 2009

Page 2

Thank you for your courtesies.

Respectfully submitted,

MC ELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

/s/

Donna duBeth Gardiner

MOB/bar

cc: Fred Pisani, Esq. (via email)